



REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Broadening Reissue Application of

Tetsuo MORITA and Satoshi KATO

Serial No.: 09/416,985

Reissue Application of U.S. Patent No. 5,701,831 issued December 30, 1997
(U.S. Patent Application Serial No. 08/668,471 filed June 25, 1996)

Filed: October 12, 1999

Docket No.: JAO 38013A-RE

For: HEADGEAR HOLDER FOR USE WITH SEWING MACHINE

REISSUE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We, Tetsuo MORITA and Satoshi KATO, hereby declare that:

1. We are citizens of Japan with the addresses as stated below next to our names.
2. We have reviewed and understand the contents of the specification and claims of the above-captioned reissue application and this reissue declaration.
3. We believe that we are the original and first inventors of the subject matter described and claimed in the reissue application. Tetsuo Morita is the original and joint inventor of the invention described and claimed in U.S. Letters Patent No. 5,701,831, which issued from U.S. Patent Application No. 08/668,471 filed June 25, 1996, which is a Continuation-In-Part of U.S. Patent Application No. 08/605,794 filed February 22, 1996 (now U.S. Patent No. 5,649,496). Satoshi Kato, who was listed as an inventor of U.S. Patent Application Serial No. 08/605,794 (U.S. Patent No. 5,649,496) and not listed as an inventor of its Continuation-In-Part, i.e., U.S. Patent Application Serial No. 08/668,471 (U.S. Patent

No. 5,701,831) of which this application is a reissue, should be listed as an inventor of the reissue application by virtue of the broader claims presented.

4. We claim the priority benefits of the following applications:

Japanese Patent Application No. 7-64772 filed February 27, 1995; and

Japanese Patent Application No. 7-163605 filed June 25, 1995; and

Japanese Patent Application No. 7-218454 filed August 28, 1995.

5. We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

6. We consider U.S. Patent No. 5,701,831 to be partly inoperative by reason of claiming less than we had a right to claim because the original claims are unduly limited and may not provide an adequate scope of protection.

7. U.S. Patent No. 5,701,831 contains at least one error in that original patent claim 1 is directed to a headgear holder including a main frame member, a pressing member and two fastening devices and does not cover Applicants' invention directed to a headgear holder support apparatus, which includes a base, a supporting member and a frame as now recited in claim 23.

8. All errors being corrected in this reissue application up to the time of filing this declaration arose without any deceptive intention on our part.

9. We hereby revoke all prior powers of attorney and appoint the following as our attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A. Oliff, Reg. No. 27,075; William P. Berridge, Reg. No. 30,024;

Thomas J. Pardini, Reg. No. 30,411; Edward P. Walker, Reg. No. 31,450;

Mario A. Costantino, Reg. No. 33,565; Joel S. Armstrong, Reg. No. 36,430;

Christopher W. Brown, Reg. No. 38,025; Paul Tsou, Reg. No. 37,956; and

Eric D. Morehouse, Reg. No. 38,565.

All correspondence in connection with this application should be sent to Oliff & Berridge, PLC, P.O. Box 19928, Alexandria, Virginia 22320, telephone (703) 836-6400.

10. We have reviewed and understand the contents of this reissue declaration, and all statements made herein of our knowledge are true, and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent reissued thereon.

Date: JUL, 6, 2007

Tetsuo Morita

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